

REMARKS

At the outset, Applicant would like to thank the Examiner and his SPE for the courtesy of an Interview on May 7, 2008. This amendment is filed with a Request for Continued Examination together with a Petition for a one month extension of time. The Amendment responds to the Final Office Action mailed October 15, 2007, following a Notice of Appeal filed on February 14, 2008. Claims 1-17 are pending and have been examined in the present application. Independent claims 1, 9 and 17 are amended.

On page 2 of the Final Office Action, claims 1-17 are rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,754,662 to Li (Li). The Examiner's rejection on this ground is respectfully traversed.

Among the limitations of independent claim 1 which are neither disclosed nor suggested in the art of record it is a requirement that the packet search device comprises "a first search processing means for searching predetermined conditional statements corresponding to a plurality of information areas included in header information of said packet" and "a second search processing means **for searching the first search results of said first search processing means** with a second search method that is different from said first search method." (Emphasis added). Independent claims 9 and 17 comprise similar limitations. These features of independent claims 1, 9 and 17 are neither taught nor suggested in Li.

Li discloses an architecture that processes packet traffic flow. Li teaches a system that stores packet filter entries in memory 110, generated from packet traffic flows. As taught by Li, "flows of traffic requiring different service are identified by information that can be extracted from packet headers such as source and destination IP addresses, subnets, source and destination layer 4 ports application types, protocol

numbers, incoming physical ports/interfaces, DiffServ Code Points (DSCP), *etc.*” Li, col. 3, l. 64 to col. 4, l. 2. While the filter entries generated as taught by Li may be analogous to the claimed “predetermined conditional statements corresponding to a plurality of information areas included in header information of said packet,” the act of extracting such information from packets to create such filter entries is not the claimed act of searching the predetermined conditional statements. In other words, generating filter entries is not a search of filter entries. Li later discloses that filter entries are searched, but fails to disclose that the results of such search are then searched again by a different search method, as required by the independent claims. *See* Li at col. 4, ll. 9-14 (stating, “[t]hese [filter] entries are accessed by a hash key index that is generated by a hash function from packet header information . . .”).

Li’s later teachings show that one search is conducted twice, in two locations (*i.e.*, cache 108 and memory 110) for the same information. As taught by Li, the system “first attempts to retrieve a classID for a defined [packet] flow corresponding to the incoming packet from cache 108 by calculating a hash key (block 304) and using it to look up a corresponding entry in cache 108 (block 306). If the classID cannot be found in cache 108 (determined in block 308), forwarding engine 102 performs a search on stored classification information in memory 110 (block 310).” Li, col. 4, ll. 24-30. *See also* Li, Figs. 1 and 3. In effect, Li teaches searching two places for the same thing, in particular, searching cache for a filter entry defining “the corresponding treatment/action that traffic should receive,” and if the filter entry is not located in cache, searching for the filter entry in memory. Li, col. 3, ll. 60 – col. 4, ll. 39.

Neither search in Li uses the results of the other search “for searching the first search results from said first search processing means” as required by the independent

Dependent claims 2-8 and 10-16 depend from claims 1 and 9 respectively, and include all of the limitations found therein. These claims include further limitations, which in combination with the limitations of the claims from which they depend are neither disclosed nor suggested in the art of record, and are therefore allowable for the same reasons expressed above.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: May 14, 2008

Respectfully submitted,

By 

Robert G. Ginger

Registration No.: 45,755

DICKSTEIN SHAPIRO LLP

1177 Avenue of the Americas

New York, New York 10036-2714

(212) 277-6500

Attorney for Applicant